

NOT FOR PUBLICATION [16, 26]

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NICHOLAS E. PURPURA, et al.,
Plaintiffs

v.

KATHLEEN SEBELIUS et al.
Defendants

Civil Action No. 10-04814

ORDER

This matter having been opened to the Court on a motion by Defendants Kathleen Sebelius, Timothy F. Geithner and Hilda L. Solis, individually and in their official governmental capacities (collectively “Defendants”), to dismiss the Complaint of Plaintiffs, pro se, Nicholas E. Purpura and Donald R. Laster, Jr. for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1); the Court having considered the Motion pursuant to Fed. R. Civ. P. 78; for the reasons stated in the Opinion filed on this date; and for good cause shown;

IT IS on this 21st day of April, 2011,

ORDERED that Defendants’ Motion to Dismiss is **GRANTED**.

/s/ Freda L. Wolfson

Honorable Freda L. Wolfson

United States District Judge

